

ENTERED

November 26, 2019

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ROOR INTERNATIONAL BV,
SREAM, INC.,

Plaintiffs,

v.

A1 SMOKE SHOP INC.,
SAJID WALI,

Defendants.

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Case No. 4:18-CV-3828

ORDER ADOPTING REPORT AND RECOMMENDATION

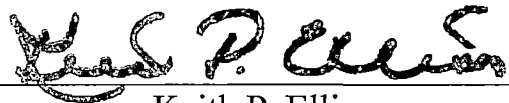
On April 2, 2019, this Court referred Plaintiffs' RooR International BV and Sream, Inc. (collectively, "Plaintiffs") motion for default judgment against Defendant A1 Smoke Shop Inc. ("A1") to United States Magistrate Judge Dena H. Palermo for Report and Recommendation ("R&R"). ECF No. 11. On October 18, 2019, Judge Palermo filed an R&R recommending the motion be denied without prejudice for improper service of the summons, complaint, and motion itself. ECF No. 13. The deadline for filing objections to the R&R passed without any objections being filed.¹ Accordingly, the Court reviews the R&R for clear error. 28 U.S.C. § 636(b)(1).

¹ On October 29, 2019, Plaintiffs filed a motion for extension of time to prove proper service or, in the alternative, to re-serve A1 with the summons and complaint. ECF No. 14. Judge Palermo denied the motion, which cannot be construed as an objection to the R&R.

The Court finds that Judge Palermo's R&R is well founded and that it should be adopted. Accordingly, it is **ORDERED** that:

1. Judge Palermo's R&R is **ADOPTED** in its entirety as the holding of the Court.
2. Plaintiffs' motion for default judgment is **DENIED WITHOUT PREJUDICE**.

SIGNED on this 25th day of November, 2019.

A handwritten signature in black ink, appearing to read "Keith P. Ellison", written over a horizontal line.

Keith P. Ellison
United States District Judge